

38. Am. EEOC Compl.

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| <p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p> | <p>NOTARY – When necessary for State and Local Agency Requirements</p> |
| <p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> | |
| <p>SIGNATURE OF COMPLAINANT</p> | |
| <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p> | |

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| CHARGE OF DISCRIMINATION | | Charge Presented To: | Agency(ies) Charge No(s): |
| This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. | | <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC | Amended 433-2018-03289 |
| and EEOC | | | |

State or local Agency, if any

1. On 10-18-17, 5:30 p.m., Sgt. Bobby Martin, white male, made several sexual discriminatory comments & jokes towards me in front of others. 2 hours later, he asked me in front of others if he could talk to me & pulled me aside & apologized. He kept apologizing for the situation saying, I have a slick mouth & sometimes I get carried away, I should not have said those things about you & I'm sorry, I don't really know you but maybe you can give me another chance to get to know you. I asked him, what are you talking about? & he said, the gay jokes, you know what I said earlier. I replied, ok. His apology is an admission of responsibility as my alleged and/or perceived sexuality does not have a thing to do with him or any other staff member.

2. On 11-22-17, 8:47 p.m., I was notified by Lt. Durwood Campbell, white male, that I was being transferred from Sgt. Donald Roberson, white male, to Sgt. Myron Alexander, black male, shift effective next week. Deputy Burns, white male, and I were being switched. Lt. Campbell advised me this was because of Dep. Burns starting basic law enforcement training in January 2018. On 11-30-17, 4:00 a.m., I was notified by Sgt. Alexander that my transfer was for personal issues with Dep. Wayne, black male, because we were beefing, not backing each other up on calls, weren't getting along, so Captain Lloyd Watkins, black male & Lt. Campbell asked me to take you. Sgt. Alexander stated, I had the option of not taking you.

On 12-2-17, 12:00 a.m., Sgt. Roberson was filling in for Sgt. Alexander & I asked him about my shift transfer. Sgt. Roberson stated, when I returned from vacation, Lt. Campbell called me in his office & said, we are going to make some changes because White & Wayne aren't getting along. Sgt. Roberson asked, were they not getting along when I was gone? Lt. Campbell replied, D-Ray they don't get along when you are here.

Sgt. Roberson advised me that Chief Bullock, black male, asked him on 12-1-2017, where is White. Sgt. Roberson stated, I told him that you were transferred to Sgt. Alexander's shift. Sgt. Roberson stated, Chief Bullock advised that he did not know about nor did he approve it & that Watkins or Campbell better not do it again without his or the sheriff's approval. No one questioned me or Dep. Wayne on any conflict between us prior to the transfer. 12-2-2017, 6:23 p.m., I found a purple in color female unicorn hat in my mailbox. This is a form of sexual harassment. I reported same to Sgt. Roberson & Lt. Goolsby. No action.

3. On 2-20-18, 6:00 p.m., I was suspended over lies told by Lt. Durwood Campbell for being insubordinate to him, Sgt. Alexander & Roberson after I gave a white female a criminal summons for several traffic violations. I was falsely accused by Lt. Campbell. I never participated in the original investigation or the re-investigation pertinent to my suspension. During my suspension meeting, I asked twice to see my personnel file & Chief Bullock denied my request. The disciplinary was one sided.

4. On 6-8-18, 6:30 p.m., Sgt. Welborn, white male, asked me to sign a performance evaluation done by Sgt. Alexander on 6-1-18 and I refused because it was false/fabricated. Lt.

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| I declare under penalty of perjury that the above is true and correct. | I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT |
| Nov 7 th , 2018 Date | Subscribed and sworn to before me this date (month, day, year) |
|  Charging Party Signature | |

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 FEPA
 EEOC

Amended
433-2018-03289

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Goolsby, black male, asked me to sign it twice after my initial refusal with Sgt. Welborn. After the false evaluation submitted by Sgt. Alexander, I filed an internal grievance appealing same & a race/gender discrimination complaint (false allegations of insubordination-suspension). After three attempts to get me to sign the false evaluations, management met with me & corrected majority of the evaluation problems.

5. On 9-10-18, 9:30 a.m., I was allowed to see my personnel file and I found two statements not previously known to me from Sgt. Roberson & Dep. Wayne, black male, in reference to traffic stops-related to my suspension on 2-20-18.

6. On 9-2-18, I again engaged in a protected activity when I filed EEOC charge number 433-2018-03289. One month thereafter, on 10-4-18, Sgt. Bobby Martin stated at the office during the meeting, Lt. Goolsby's ass does not want to answer calls, he fucking hides around the corner until another unit gets there but yet his bitch ass is the first one to get on the radio & make it seem like he is doing something! All he does is snitch & cause problems! It does not matter who the new sheriff is, his ass will not be a lieutenant! Also, Sgt. Martin verbally attacked me & falsely accused me of filing a complaint against him for repeatedly calling a subordinate Arab/Indian deputy, "Osama Bin Laden" a racially terroristic derogatory name in the presence of Lt. Goolsby, Sgt. Martin, Sgt. Welborn, Deputy Poole, Edwards, Clayton & Patel while in the patrol room. After the verbal attack, I contacted Capt. Watkins & filed complaint. Sgt. Martin came to my residence the following day at 5:30 p.m. & verbally apologized to me repeatedly saying, I was wrong & I'm man enough to admit being wrong, I should not have said those things, I'm Sorry Mr. White, I mean, and I'm just sorry man. He continued saying, Mr. White you are a good guy, you come to work, answer your calls & everyone else's calls, you do good reports, I would prefer to have you on my shift versus what I have now because you are dependable & you actually work.

Sgt. Martin was to receive a counseling form (lesser sanction which is a non-disciplinary written coaching). However, he rebutted the counseling form, inquired about who was the complaining party & said the counseling form is not valid & refused to sign. Sgt. Martin told me, Sheriff Peter White, S-1, said, I was being written up because Dep. White filed a complaint against you. Lt. Goolsby told me, Bobby was not written up, he refused to sign & Chief Dep L. Bullock said, if it comes up again then we will have to do what we have to & issue the write up. Sgt. Martin was not correctively disciplined for the discriminatory terroristic references made a multitude of times. I was lied on & my personal & professional character were defamed. Previously, Sgt. Martin addressed these issues with me in Aug, Sept & Oct 2018 & I denied filing a complaint. I was & still is offended by the terroristic discriminatory reference, multiple questionings & false allegations (harassment) of me filing a complaint. No disciplinary action (insubordination).

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I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Nov 7th, 2018

Date

Charging Party Signature

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| <small>and EEOC</small> | | | |
| <i>State or local Agency, if any</i> | | | |
| <p>7. On 10-6-18, 11:00 p.m., I met with Dep. Wayne & Dep. Poole at Sunrock in Kittrell, NC & discussed the document he wrote on me. Dep. Wayne denied writing the statement. However, his signed statement was dated 1-30-2018. Dep. Wayne continued to deny writing or signing anything against or about me. Dep. Wayne apologized to me for what took place but insisted he did not write any statements on me about the things I questioned him on, he never said or wrote. Dep. Poole can verify Dep. Wayne's full denial. He lied on me in writing & admitted it. Sgt. Roberson's statement dated 2-1-18 does merit some truth. Both statements are in reference to traffic stops, which were in my personnel file.</p> <p>8. On 10-23-18, an African American female suspect reported to the employer (Chief - Bullock, Capt. Watkins & Capt. W Bullock) that I used excessive force & broke her arm while trying to effect an arrest. Later that afternoon, I was ordered to report to work because the sheriff wanted to talk to me. I never spoke with the sheriff. Instead, on October 23rd, 2018, Capt. W. Bullock met with Capt. Watkins & I. Capt. Bullock advised us he was conducting an administrative investigation in to the use-of-force & took my statement regarding the incident.</p> <p>9. On 10-24-18, I was told by Capt. Bullock, that the Sheriff had determined that my services were no longer needed & to give me a ride home in my patrol car.</p> <p>10. On 10-29-18, Dep. Poole notified me that Capt. Watkins told him that I was fired because they wrote the paperwork up as excessive force. I was not aware of same until' then.</p> <p>11. On 11-6-18, Dep. Poole notified me that Sgt. Martin said in the patrol room, all right now, you don't want to end up like your boy (seemingly referring to me getting dismissed). Dep. Poole said, if I get fired, I will find another job, everybody know White was fired because the Sheriff has a personal vendetta against him. Sgt. Welborn stated, here you go with that yall shit again.</p> <p>12. To my knowledge, no one else engaged in a protected activity & no one else was correctively disciplined or discharged similarly for alleged policy violations. To my knowledge, there have been other uses-of-force that have resulted in human fatalities, pet fatalities/injuries, broken arms, wrists/fingers & the deputies were not fired or disciplined.</p> <p>13. In fact, a Caucasian K-9 officer, was not correctively disciplined or fired for his assigned k-9 (dog) viciously attacking a female subject without cause or order by the handler during the Page 4 out 5</p> | | | |
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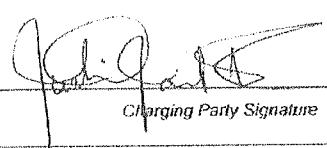
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Summer of 2018. All k-9 handlers are responsible for the actions of their assigned k-9 & the department must ensure appropriate training & continuing education & training for the handler & k-9. As a matter of fact, during the 2018 summer months, a white deputy kept leaving his patrol car on during day-shift after being told by Capt. Bullock not to do so back to back as he no longer had his dog after the attack. He was never issued insubordination paperwork. Also, a host of white supervisors & deputies were not correctively disciplined for violations of policy, some of them gross in nature but I, the black deputy was.

14. While the Office of the Sheriff is constitutional & traditionally powerful, it is not all powerful, checks & balances exist & the powers are derivative of general statute. While state agencies have sovereign immunity & localities or municipalities have government immunity, such immunity is not applicable to constitutional violations, negligence or gross negligence. There is a systemic pattern of discrimination at my former place of employment & legal corrective measures are needed to enjoin actors from continuing same. While the sheriff is the final policy maker of his department, subordinates have to follow orders of low, mid & upper level supervisors before it reaches the sheriff or face insubordination charges and if you object, management trumps up charges against staff. Also, the sheriff's decision-making does not outweigh civil rights or liberties pertinent to the color of law under 42 U.S.C Sect. 1983 of the Civil Rights Act.

15. I believe that I was discriminated against because of my race, Black, my sex, male, and retaliation for my engagement in the protected activity of filing EEOC charge #433-2018-03289 against the employer on 8-10-18 & prior internal grievances in June 2018, in violation of Title VII of the Civil Rights Act of 1964, as Amended. Also, I believe the terroristic discriminatory references & misconduct by certain members of the command staff created a hostile work environment. I was a dedicated deputy sheriff of the Vance County Sheriff's Office & put people first to accomplish the law enforcement objective & did not deserve to be fired. I desire to be made whole by the County of Vance, The Office of the Sheriff i.e. reinstatement, compensated for back pay, allowed to fulfil my two year contract & etc. While I served at the pleasure of, I contend I was wrongfully dismissed based on the afore-mentioned merits. Also, I request a copy of my complete personnel file & use-of-force investigation file (any & all statements related).

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